

DEC 27 2004

400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343 - Telephone  
(516) 742-4366 - Facsimile  
e-mail: [intprop@ssmp.com](mailto:intprop@ssmp.com)

**SCULLY, SCOTT, MURPHY  
& PRESSER**

# Fax

<b>To:</b>	Examiner: Qamrun Nahar Group Art Unit: 2124 Confirmation No.: 3776 (703) 872-9306	<b>From:</b>	John S. Sensny, Esq.
<b>Fax:</b>		<b>Pages</b>	22, including fax cover sheet
<b>Phone:</b>		<b>Date:</b>	December 27, 2004
<b>Re:</b>	Re: Motohiro Kawahito, et al. U.S. Patent Appln. No. 09/814,324 Filing Date: March 21, 20001 Our Docket: JP919990309US1 (17696)	<b>CC:</b>	

## AMENDMENT UNDER 37 C.F.R. §1.116

Transmitted herewith are the following:

1. Amendment Transmittal Letter (in duplicate);
2. Amendment under 37 C.F.R. §1.116;
3. Certificate of Transmission by Facsimile, dated December 27, 2004 (in duplicate).

**For:**


Applicant: Motohiro Kawahito, et al.  
U.S. Patent Appln. No. 09/814,324  
Filing Date: March 21, 2001  
Our Docket: JP919990309US1 (17696)  
Title: "PROGRAM COMPILATION AND OPTIMIZATION"

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Julie @ Ext. 569 or via e-mail at [Julie@ssmp.com](mailto:Julie@ssmp.com)

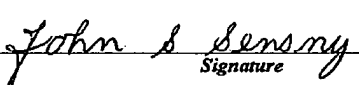
# 2 / 22

DEC 27 2004

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>		Docket No. <b>JP919990309US1 (17696)</b>	
Applicant(s): <b>Motohiro Kawabito, et al.</b>			
Application No. <b>09/814,324</b>	Filing Date <b>March 21, 2001</b>	Examiner <b>Qamrun Nahar</b>	Group Art Unit <b>2124</b>
Invention: <b>PROGRAM COMPILATION AND OPTIMIZATION</b>			
<p>I hereby certify that this <u><b>AMENDMENT UNDER 37 C.F.R. §1.116</b></u>  <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u><b>(703) 872-9306</b></u> )</p> <p>on <u><b>December 27, 2004</b></u>  <small>(Date)</small></p> <div style="text-align: right; margin-top: 100px;"> <u><b>John S. Sensny</b></u>  <small>(Typed or Printed Name of Person Signing Certificate)</small>  <u></u>  <small>(Signature)</small> </div>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			

P18/RÉV02

DEC 27 2004

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>JP919990309US1 (17696)</b>	
Applicant(s): <b>Motohiro Kawahito, et al.</b>						
Application No. <b>09/814,324</b>	Filing Date <b>March 21, 2001</b>	Examiner <b>Qamrun Nahar</b>	Customer No. <b>23389</b>	Group Art Unit <b>2124</b>	Confirmation No. <b>3779</b>	
Invention: <b>PROGRAM COMPILATION AND OPTIMIZATION</b>						
<b>COMMISSIONER FOR PATENTS:</b>						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	18 -	20 =	0 x	\$18.00	\$0.00	
INDEP. CLAIMS	9 -	9 =	0 x	\$86.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>50-0510/IBM</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 Signature			Dated: <b>December 27, 2004</b>			
<b>John S. Sensny</b> <b>Registration No. 19,827</b>  <b>Scully, Scott, Murphy &amp; Presser</b> <b>400 Garden City Plaza</b> <b>Garden City, New York 11530</b> <b>(516) 742-4343</b>			<div style="border: 1px solid black; padding: 5px;">             I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____              _____              (Date)              _____              Signature of Person Mailing Correspondence              _____              Typed or Printed Name of Person Mailing Correspondence           </div>			
cc: JSS: jy						

P11LARGE/REV08

[illegible]

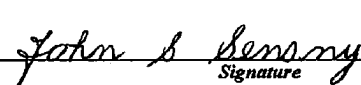
**RECEIVED  
CENTRAL FAX CENTER**

12-27-04; 4:11PM:SSMP FAX

:5167424366

# 5/ 22

DEC 27 2004

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>JP919990309US1 (17696)</b>	
Applicant(s): <b>Motohiro Kawahito, et al.</b>					
Application No. <b>09/814,324</b>	Filing Date <b>March 21, 2001</b>	Examiner <b>Qamrun Nahar</b>	Customer No. <b>23389</b>	Group Art Unit <b>2124</b>	Confirmation No. <b>3779</b>
Invention: <b>PROGRAM COMPILATION AND OPTIMIZATION</b>					
<b><u>COMMISSIONER FOR PATENTS:</u></b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	18 -	20 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	9 -	9 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>50-0510/IBM</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.					
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 _____ Signature			Dated: <b>December 27, 2004</b>		
<b>John S. Sensny</b> <b>Registration No. 19,827</b>  <b>Scully, Scott, Murphy &amp; Presser</b> <b>400 Garden City Plaza</b> <b>Garden City, New York 11530</b> <b>(516) 742-4343</b>			<div style="border: 1px solid black; padding: 5px;">         I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____          _____          (Date)          _____          Signature of Person Mailing Correspondence          _____          Typed or Printed Name of Person Mailing Correspondence       </div>		
cc: JSS:jy					

P11LARGE/REV08